IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

WP(C).No. 21105 of 2007(K)

PETITIONER:

N.K. BABU, AGED 53 YEARS,
ADMINISTRATIVE ASSISTANT, O/O. THE DEPUTY DIRECTOR OF EDUCATION, ERNAKULAM, RESIDING AT KUTTISSERY-THARAYIL HUSE, KARUKUTTY, ANGAMALY,ERNAKULAM DIST.

BY ADV. SRI.M.P.KRISHNAN NAIR

RESPONDENTS:
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1. **STATE OF KERALA,**
   REP. BY SECRETARY, GENERAL EDUCATION DEPARTMENT,
   SECRETARIAT THIRUVANANTHAPURAM.

2. **DIRECTOR OF PUBLIC INSTRUCTIONS,**
   THIRUVANANTHAPURAM.

3. **DEPUTY DIRECTOR OF EDUCATION,**
   CIVIL STATION, KAKKANAD, ERNAKULAM DISTRICT.

4. **DISTRICT PROJECT OFFICER,**
   S.S.A., PALAKKAD.

5. **K.P. SIDHARTHAN,**
   ASSISTANT PROVIDENT FUND OFFICER,
   O/O. THE DEPUTY DIRECTOR OF EDUCATION,
   CIVIL STATION, KAKKANAD, ERNAKULAM DISTRICT.

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21105/2007 K

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE GO RT NO. 5318/05/G.EDN DT. 14/11/05 BY THE R1.

EXT.P2. COPY OF THE GO 957/06/G.EDB DT. 3/3/06 BY THE RESPONDENT.

EXT.P3. COPY OF THE MEDICAL CERTIFICATE DT. 28/4/06 BY LAKESHORE HOSPITAL.

EXT.P4. COPY OF THE LETTER DT. 4/4/07 BY THE PETITIONER FOR RELINQUISHMENT OF PROMOTION.

EXT.P5. COPY OF THE LETTER DT. 9/5/06 BY THE R3.

EXT.P6. COPY OF THE REPRESENTATION DT. 8/12/06 BY THE PETITIONER TO THE MINISTER.

EXT.P7. COPY OF THE ACKNOWLEDGEMENT CARD RECEIVED FROM THE OFFICE OF THE MINISTER.

EXT.P8. COPY OF THE REPRESENTTION DT. 5/07/07 BY THE PETITIONER TO THE KGO ASSOCIATION.

EXT.P9. COPY OF THE REPRESENTATION DT. 6/7/07 BY THE PETITIONER TO THE MINISTER.

EXT.P10. COPY OF THE ORDER DT. 15/6/05 IN WPC NO. 17122/2005.

EXT.P11. COPY OF THE GO RT NO. 3054/07/G.EDN DT. 4/7/07 BY THE R1.

EXT.P12. COPY OF THE GO RT NO. 3285/2007/G.EDN DT. 18/7/07 BY THE R1.

RESPONDENT'S EXHIBITS

EXT.R1A. COPY OF THE GO RT NO. 3285/07/G.EDN DT. 18/7/07.

True copy

tga

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.21105 of 2007-K

Dated this the 24th day of July, 2007.

J U D G M E N T

The petitioner has approached this court, challenging the order dated 4-7-2007, trasferring him from Ernakulam to Palghat. This court, by an interim order directed to retain the petitioner at Ernakulam, having regard to his health condition. Now, the Government, by Ext.P12 order dated 18-7-2007 has cancelled that order and has posted him in the office of the Deputy Director of Education, Ernakulam, as Assistant Provident Fund Officer. In view of the above position, the writ petition has become infructuous. It appears that the petitioner is dissatisfied with his posting as Assistant Provident Fund Officer. He would prefer to continue as Administrative Assistant. If that be so, the petitioner may represent before the competent authority, to redress his grievance. Subject to that right, the Writ Petition is closed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS